

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of February 23, 2005.

Reconsideration of the Application is requested.

The Office Action

Claims 1-26 remain in this application.

Claims 1-26 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Allen, et al. (U.S. Patent No. 6,549,299).

The Claims Distinguish Over Allen

Claim 1 calls for identifying constraints of a device and specifying job segments of workpieces such that the attributes of each job segment do not exceed the identified constraints. The Applicant does not believe that Allen teaches such a limitation. The Examiner has not explicitly stated that Allen teaches this limitation, however, it has been more broadly asserted that all of the claimed limitations are either explicitly or inherently included.

35 U.S.C. § 132(a) requires the Examiner to point out the particular figures and/or sections of the specification that support the reason for rejection, so the Applicant may judge the propriety of continuing with prosecution of the application (MPEP page 700-105). In this case, the Applicant believes that it is necessary for the Examiner to point out the particular portions of Allen upon which she is relying. The applicant believes that if it attempts to make an amendment to the claims, or present a patentability argument, it may not at all address the Examiner's intent and reasons for the rejection, because they have not been revealed in the Examiner's most recent communication. Thus, it is respectfully requested that the Examiner issue an additional non-final office action in which the reasons for rejection are explicitly stated, so that the Applicant may make an informed decision whether or not to further prosecute the present application.

In the alternative, if the Examiner agrees with the applicant, that is, that Allen does not teach the limitations of identifying constraints of a device and parsing a job into segments that fall within the constraints of the device, the Applicant respectfully requests that the Examiner withdraw the rejection. For the

above-stated reasons, it is respectfully submitted that **claim 1** and **claims 2-24** distinguish patentably and unobviously over Allen.

Independent **claims 25** and **26** contain similar limitations to the one discussed above. Likewise, it is respectfully submitted that **claims 25** and **26** also distinguish patentably and unobviously over Allen.

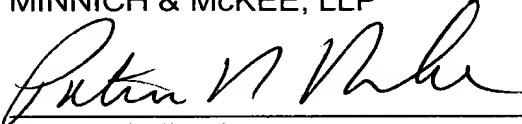
CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1-26) are in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, she is hereby authorized to call Pat Roche, at Telephone Number (216) 861-5582.

Respectfully submitted,

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